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NOTIFICATION.

No: LD (b) 3-3886|50|Law. *25th May, 1955.*

The following Act, passed by the Legislative Assembly and assented to by His Highness the Rajpramukh, is hereby published for general information.

By order of His Highness
the Raj Pramukh,
N. S. RADHAKRISHNA SARMA,
Secretary to Government.

Government Secretariat,
Law Department,
Trivandrum.

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(3) An order made under this section shall remain in force for a period of two months from the date thereof but the Government may, if they are of opinion that the order should continue in force, direct that the period of suspension shall be extended by such further period as they think fit.

7. *Penalties for contravention of the Act and rules made thereunder.* (1) If the owner or person in charge of a cinematograph uses the same or allows it to be used, or if the owner or occupier of any place permits that place to be used in contravention of the provisions of this Act or of the rules made thereunder or of the conditions and restrictions upon or subject to which any license has been granted under this Act, he shall be punishable with fine which may extend to one thousand rupees, and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which tha offence continues.

(2) (a) If any person exhibits or permits to be exhibited any film which has been suspended under sub-section (1) of Section 6, he shall be punishable with fine which may extend to one thousand rupees, and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues.

(b) If any person is convicted of an offence punishable under clause (a) committed by him in respect of any film, the convicting court may further direct that the film shall be forfeited to the Government.

8. *Power to revoke license.* Where the holder of a license has been convicted of an offence under Section 7 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952) or under Section 7 of this Act, the license may be revoked by the licensing authority.

9. *Power to revise proceedings under the Act.* The Government may call for and examine the record of any proceeding taken under this Act, call for any report in connection therewith, make or cause to be made any further enquiry and may pass such order in reference thereto as they think fit:

Provided that no order shall be passed under this section without notice to the party who may be affected by the order.

10. *Power to make rules.* (1) The Government may, by notification in the Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, rules made under this Act may provide for—

(a) the terms, conditions and restrictions, if any, subject to which licenses may be granted under this Act;

(b) the regulation of cinematograph exhibitions for securing public safety;

(c) the fees to be levied for licensing places for cinematograph exhibitions;

(d) the inspection of such places and of electric installations therein;

(e) the regulation of sanitary arrangements in such places; and

(f) the time within which and the conditions subject to which an appeal under sub-section (3) of Section 5 may be preferred.

11. *Power to exempt.* The Government may, by order in writing, exempt, subject to such conditions and restrictions as they may impose, any cinematograph exhibition or class of cinematograph exhibitions from all or any of the provisions of this Act or of any rules made thereunder.

12. *Repeal.* The Travancore Cinematograph Act, 1102 (Act I of 1102) and the Cochin Cinematograph Act, IV of 1102 are hereby repealed in so far as they relate to regulation of cinemas including their licensing:

Provided that any appointment, notification, order, license, rule or form, made or issued under the repealed enactments, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been made or issued under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, license, rule or form made or issued under this Act.

ACT IX OF 1955.

THE TRAVANCORE-COCHIN CINEMAS (REGULATION) ACT.

An Act to make provision for regulating exhibitions by means of cinematographs.

Preamble. Whereas it is expedient to regulate exhibitions by means of cinematographs;

Be it enacted in the Sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.* (1) This Act may be called the Travancore-Cochin Cinemas (Regulation) Act, 1955.

(2) It extends to the whole of the State of Travancore-Cochin.

(3) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Definitions.* In this Act, unless the context otherwise requires,—

(1) "cinematograph" includes any apparatus for the representation of moving pictures or series of pictures;

(2) "place" includes a house, building, tent and any description of transport, whether by water, land or air; and

(3) "prescribed" means prescribed by rules made under this Act.

3. *Cinematograph exhibitions to be licensed.* Save as otherwise provided in this Act, no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act or otherwise than in compliance with any conditions and restrictions imposed by such license.

4. *Licensing authority.* The authority having power to grant licenses under this Act, hereinafter referred to as the "licensing authority", shall be,—

(i) in the City of Trivandrum, the Council of the Corporation of Trivandrum,

(ii) in any Municipal area, the Municipal Council concerned,

(iii) in any Panchayat area, the Panchayat concerned, and

(iv) in any other area, such authority as the Government may, by notification in the Gazette, specify in that behalf:

Provided that the Government may, by notification in the Gazette, constitute for the whole or any part of the State of

Travancore-Cochin such other authority as they may specify in the notification to be the licensing authority for the purposes of this Act.

5. *Restrictions on powers of licensing authority.* (1) The licensing authority shall not grant a license under this Act, unless it is satisfied that—

(a) the rules made under the Act have been complied with; and

(b) adequate precautions have been taken in the place in respect of which the license is to be given to provide for the safety of persons attending exhibitions therein.

(2) Subject to the foregoing provisions of this section and to the control of the Government, the licensing authority may grant licenses under this Act to such persons as that authority thinks fit and on such terms and conditions and subject to such restrictions as it may determine.

(3) Any person aggrieved by the decision of a licensing authority refusing to grant a license under this Act may, within such time as may be prescribed, appeal to the Government or to such officer as the Government may specify in this behalf, and the Government or the officer, as the case may be, may make such order in the case as they or he thinks fit.

(4) The Government may, from time to time, issue directions to licensees generally or to any licensee in particular for the purpose of regulating the exhibition of any film or class of films, so that scientific films, films intended for educational purposes, films dealing with news and current events, documentary films or indigenous films secure an adequate opportunity of being exhibited, and where any such directions have been issued those directions shall be deemed to be additional conditions and restrictions subject to which the license has been granted.

6. *Power of Government or District Magistrate to suspend exhibition of films in certain cases.* (1) The Government, in respect of the whole State of Travancore-Cochin or any part thereof, and the District Magistrate in respect of the District within his jurisdiction may, if they are or he is of opinion that any film, which is being publicly exhibited, is likely to cause a breach of the peace, by order, suspend the exhibition of the film, and thereafter such film shall not be exhibited or permitted to be exhibited in the State, part or District, as the case may be, during the period in which the order of suspension is in force.

(2) When an order under sub-section (1) has been issued by the District Magistrate, a copy thereof, together with a statement of the reasons therefor, shall forthwith be forwarded by him to the Government and the Government may either confirm or discharge the order.